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**From:** Zein, Maher [Maher.Zein@arcadis.com]  
**Sent:** 8/17/2017 8:09:13 PM  
**To:** Calanog, Steve [Calanog.Steve@epa.gov]; Zehner, Warren [zehner.warren@epa.gov]; Vivian Craig [viviancraig@navajo-nsn.gov]  
**CC:** Doug McReynolds [Doug.Mcreynolds@BNSF.com]; Werth, Drew [Andrew.Werth@arcadis.com]  
**Subject:** FW: Haystack No. 1 AUM Site, McKinley County, New Mexico - Administrative Settlement Agreement and Order on Consent (CERCLA Dockets No. 09-2017-02 and 06-02-17)

All,

Per the email below, the ONRT does not have any additional requirements or concerns regarding our proposed site activities.

Regards,  
Maher

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**From:** Kliphuis, Trais, NMENV [mailto:trais.kliphuis@state.nm.us]  
**Sent:** Thursday, August 17, 2017 11:12 AM  
**To:** Zein, Maher <Maher.Zein@arcadis.com>  
**Cc:** Lewellin, Jeffrey, NMENV <Jeffrey.Lewellin@state.nm.us>; William Grantham <WGrantham@nmag.gov>  
**Subject:** RE: Haystack No. 1 AUM Site, McKinley County, New Mexico - Administrative Settlement Agreement and Order on Consent (CERCLA Dockets No. 09-2017-02 and 06-02-17)

Thanks. Based on the information provided and at this time, the State of New Mexico Office of Natural Resources Trustee does not have any additional requirements or concerns regarding the proposed site activities.

**Trais Kliphuis**

Executive Director  
New Mexico Office of Natural Resources Trustee  
121 Tijeras Ave. NE, Suite 1000  
Cell (505) 313-1837  
Office (505) 222-9572  
[www.onrt.state.nm.us](http://www.onrt.state.nm.us)

The Office of Natural Resources Trustee's mission is to return injured natural resources and the services they provide to the condition that would have existed absent the release of contamination.

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**From:** Zein, Maher [mailto:Maher.Zein@arcadis.com]  
**Sent:** Thursday, August 17, 2017 12:02 PM  
**To:** Kliphuis, Trais, NMENV <trais.kliphuis@state.nm.us>  
**Subject:** RE: Haystack No. 1 AUM Site, McKinley County, New Mexico - Administrative Settlement Agreement and Order on Consent (CERCLA Dockets No. 09-2017-02 and 06-02-17)

No. The proposed soil removal excavations are very shallow and will not exceed 1 or 2 feet depending on the area of concern.

Maher

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**From:** Kliphuis, Trais, NMENV [mailto:trais.kliphuis@state.nm.us]  
**Sent:** Thursday, August 17, 2017 11:00 AM

**To:** Zein, Maher <Maher.Zein@arcadis.com>

**Subject:** RE: Haystack No. 1 AUM Site, McKinley County, New Mexico - Administrative Settlement Agreement and Order on Consent (CERCLA Dockets No. 09-2017-02 and 06-02-17)

Thanks.

Are there any concerns about potential groundwater contamination?

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**From:** Zein, Maher [mailto:Maher.Zein@arcadis.com]

**Sent:** Thursday, August 17, 2017 11:22 AM

**To:** Kliphuis, Trais, NMENV <trais.kliphuis@state.nm.us>

**Subject:** RE: Haystack No. 1 AUM Site, McKinley County, New Mexico - Administrative Settlement Agreement and Order on Consent (CERCLA Dockets No. 09-2017-02 and 06-02-17)

Hi Trais,

The site consists of three abandoned uranium mine (AUM) areas (please see attached figure):

1. Haystack No. 1 AUM – situated on both Indian Allotment land (Section 18) and privately owned land (Section 19).
2. Bibo Trespass AUM – located on federal land administered by the Bureau of Indian Affairs (Section 13).
3. Section 24 AUM – located on Indian Allotment land.

Regards,  
Maher

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**From:** Kliphuis, Trais, NMENV [mailto:trais.kliphuis@state.nm.us]

**Sent:** Thursday, August 17, 2017 8:40 AM

**To:** Zein, Maher <Maher.Zein@arcadis.com>

**Subject:** RE: Haystack No. 1 AUM Site, McKinley County, New Mexico - Administrative Settlement Agreement and Order on Consent (CERCLA Dockets No. 09-2017-02 and 06-02-17)

Hi Maher,

Are all these mines on Navajo Nation land?

**Trais Kliphuis**

Executive Director

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**From:** Zein, Maher [mailto:Maher.Zein@arcadis.com]

**Sent:** Wednesday, August 16, 2017 3:19 PM

**To:** Kliphuis, Trais, NMENV <trais.kliphuis@state.nm.us>

**Subject:** RE: Haystack No. 1 AUM Site, McKinley County, New Mexico - Administrative Settlement Agreement and Order on Consent (CERCLA Dockets No. 09-2017-02 and 06-02-17)

Sounds good.

Thank you,  
Maher

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**From:** Kliphuis, Trais, NMENV [<mailto:trais.kliphuis@state.nm.us>]

**Sent:** Tuesday, August 15, 2017 7:15 AM

**To:** Zein, Maher <[Maher.Zein@arcadis.com](mailto:Maher.Zein@arcadis.com)>

**Cc:** Doug McReynolds <[Doug.Mcreynolds@BNSF.com](mailto:Doug.Mcreynolds@BNSF.com)>; Zehner, Warren <[zehner.warren@epa.gov](mailto:zehner.warren@epa.gov)>; Calanog, Steve <[Calanog.Steve@epa.gov](mailto:Calanog.Steve@epa.gov)>; Vivian Craig <[viviancraig@navajo-nsn.gov](mailto:viviancraig@navajo-nsn.gov)>; Werth, Drew <[Andrew.Werth@arcadis.com](mailto:Andrew.Werth@arcadis.com)>

**Subject:** RE: Haystack No. 1 AUM Site, McKinley County, New Mexico - Administrative Settlement Agreement and Order on Consent (CERCLA Dockets No. 09-2017-02 and 06-02-17)

Thank you Maher. I have been out of the office but I will have time this week to take a look. I will let you know if I have questions.

**Trais Kliphuis**

Executive Director

New Mexico Office of Natural Resources Trustee

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**From:** Zein, Maher [<mailto:Maher.Zein@arcadis.com>]

**Sent:** Monday, August 14, 2017 5:57 PM

**To:** Kliphuis, Trais, NMENV <[trais.kliphuis@state.nm.us](mailto:trais.kliphuis@state.nm.us)>

**Cc:** Doug McReynolds <[Doug.Mcreynolds@BNSF.com](mailto:Doug.Mcreynolds@BNSF.com)>; Zehner, Warren <[zehner.warren@epa.gov](mailto:zehner.warren@epa.gov)>; Calanog, Steve <[Calanog.Steve@epa.gov](mailto:Calanog.Steve@epa.gov)>; Vivian Craig <[viviancraig@navajo-nsn.gov](mailto:viviancraig@navajo-nsn.gov)>; Werth, Drew <[Andrew.Werth@arcadis.com](mailto:Andrew.Werth@arcadis.com)>

**Subject:** Haystack No. 1 AUM Site, McKinley County, New Mexico - Administrative Settlement Agreement and Order on Consent (CERCLA Dockets No. 09-2017-02 and 06-02-17)

Good afternoon Trais,

I am following up to my phone call from a few weeks ago. As I mentioned when we spoke, the U.S. Environmental Protection Agency (EPA) has issued an Administrative Settlement Agreement and Order on Consent (AOC, effective on May 15, 2017) for BNSF's Haystack No. 1 AUM Site, located in McKinley County, New Mexico (the site). Arcadis is the environmental consultant for BNSF on this project.

The AOC's main objective is Time Critical Removal Action of soil containing naturally occurring radioactive material at different portions of the site. One of the requirements of the AOC prior to commencement of soil excavation and removal activities is the completion of a biological resources evaluation in coordination with the U.S. Fish and Wildlife Service (USFWS), Navajo Natural Heritage Program (NNHP), and New Mexico Department of Game and Fish (NMGF). Arcadis has made inquiries into and obtained biological resources information from the three aforementioned agencies and summarized the results of these inquiries in the attached report. Arcadis has also contacted the Bureau of Land Management (BLM) to determine if they had any additional requirements or concerns related to biological resources.

BLM advised that they did not. On Monday July 17, 2017, the U.S. EPA requested that we also notify and coordinate this project with the State of New Mexico Office of Natural Resources Trustee (ONRT). I am sending you the attached Biological Evaluation Report to satisfy this requirement.

Please keep me posted if you have any questions or comments or would require additional information.

Regards,

**Maher M. Zein, PhD, PE, QSD/QSP, QISP** | Senior Environmental Engineer/Certified Project Manager |

[maher.zein@arcadis.com](mailto:maher.zein@arcadis.com)

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